

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CV04-10258 NG

ARTHUR PERNOKAS
DIANE PERNOKAS
Plaintiffs

V.

BARRIE PASTER
Defendant

PROCEDURAL ORDER
September 29, 2004

ALEXANDER, M.J.

On July 13, 2004, the parties appeared before this Court for a scheduling conference. After hearing and upon request of the parties, this Court hereby REMANDS the case to the Essex Superior Court for the limited purpose of conducting a medical malpractice tribunal, pursuant to M.G.L. c. 231 § 60B. Upon the tribunals determination that the evidence presented, if properly substantiated, is sufficient to raise a legitimate question of liability appropriate for judicial inquiry, the Clerk shall return the matter to this Court.

/S/ Joyce London Alexander
United States Magistrate Judge